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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/828,560	03/31/1997	JOHN M. EGNOR	3398T	5182

7590 08/07/2002

TIMOTHY W. CHELL  
28 COOPER STREET  
WOODBURY, NJ 08096

EXAMINER

GRAHAM, MATTHEW C

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 08/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

08/828,560



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27

DATE MAILED:

### EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) TIMOTHY CHELL (3) \_\_\_\_\_  
(2) M. C. GRAHAM (PTD) (4) \_\_\_\_\_

Date of Interview 8-6-2002

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: 1/

Identification of prior art discussed: \_\_\_\_\_

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: APPLICANT'S REP.

WAS INFORMED THAT A NOTICE OF APPEAL (NO FEE  
REQUIRED DUE TO PREVIOUS FILING OF THE NOTICE OF  
APPEAL) WAS REQUIRED BEFORE THE APPEAL  
BRIEF WOULD BE ENTERED.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

M. C. GRAHAM  
Examiner's Signature

**Note From Troubleshooter:**

Applicant is required to file a Notice of Appeal (and pay the fee) before filing an Appeal brief. This is a new appeal, not a reinstated appeal, since the previous appeal was decided. Since the only proper response to a Final Rejection (the last Office action of record) is 1) An amendment placing the case in condition for allowance, 2) A timely Notice of Appeal, or 3) A CPA/RCE, the Appeal Brief should be treated as an improper proposed response to the Final Rejection by the examiner, since it doesn't meet 1-3 above.

Please:

1) Enter the Appeal Brief as a proposed response to the Final Rejection (1631).

2) Forward to the examiner like any other after final response and have the examiner send out an advisory explaining the problem.

Please keep this note on the case so the examiner knows what to do.

This procedure was checked with the SPRE Shop (Steve Meyers).

*Thanks*